HON'BLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION NO. 26947 OF 2006

DATE: 06.03.2007

Between:

Gunji Prameelamma, W/o Tirupathaiah, Female, age 60 years and one another

…Petitioners

AND

1. The State of Andhra Pradesh rep. By its principal Secretary to Home Department, Secretariat, Saifabad, Hyderabad and five others.

….Respondents

HON'BLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION NO. 26947 OF 20076

ORAL ORDER:

Petitioner seeks to issue a Writ of Mandamus declaring the action of the respondents in repeatedly paying domiciliary visits to the petitioner house insisting to procure booty in theft related offences as illegal, irregular and violative of provisions of Code of Criminal Procedure and offends articles 14 and 21 of the Constitution of India and consequently direct the respondents not to interfere in any manner with his life and liberty except following the due process of law.

It is stated that the petitioner is a resident of Kopparam Village, Santhamaguluru Mandal, Prakasam District. The first petitioner is the mother of the second petitioner, who worked as Sarpanch for Kopparam Village. It is further stated that there are about 120 families belonged to Yerukula caste in the said village. The first petitioner noticed that one C. Nagabrahmachari, of the said village was moving by doing gold business and in that connection, he was advised not to allow the thieves into village. It is further stated that though the petitioners are law abiding citizens instead of helping the petitioners in preventing the illegal activities of the thieves, the police unnecessarily interfering with the life of the petitioners and making periodical visits in respect of the petitioner's house for recovery of the stolen gold, who are not involved in any of the criminal cases. It is further stated that the petitioner has made a representation dated 30.11.2006 before the Director General of Police, but no action has been taken so far.

Counter affidavit has been filed stating that based on the representation dated 30.11.2006 filed before the Director General of Police, an enquiry has been conducted and several criminal cases have been registered against the accused persons and the petitioners are nothing to do with the said Criminal Cases. In so far as the allegations of the petitioners that the police interfered with the life and liberty of the petitioners and they visited the house of the petitioners was denied. It further stated that necessary action has already taken pursuant to the said representation and the police personnel never visited the residence of the petitioners.

In view of the categorical statement made in the counter by the second respondent, I am of the opinion that no further orders are required to be passed in the Writ Petition. Accordingly, the Writ Petition is dismissed. No order as to costs.

_____

V. ESWARAIAH, J

Date: 06.03.2007

KA